

ORDINANCE 08-17

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield City Council has the authority to annex lands into the municipality as defined by IC 36-4-3; and,

WHEREAS, the City has an interest in providing an annexation ordinance that will provide for the Westfield residents' public welfare and security, and also an economic development opportunity; and,

WHEREAS, the City is able to provide non-capital public services within one year and capital services within three years as required by statute to the proposed area to be annexed; and,

WHEREAS, the proposed land to be annexed described in Exhibit "A" meets the contiguity requirements of IC 36-4-3-1.5 and also the annexation requirements further defined in IC 36-4-3-13 (c)(1) and (2) and (d).

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-471 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:

Section 1. That the real estate legally described in Exhibit "A" hereto, and generally to be known as the "NE Area 2", adjacent to Moontown Road, west of Long Acre Way contiguous with the city limits of the City of Westfield, Indiana and the same is hereby annexed to and declared to be a part of the City of Westfield, Indiana.

See attached legal description and attached map Exhibit "A"

Section 2. That the real estate legally described in Exhibit "A" is to further include the contiguous public highways and rights-of-way of the public highways (per IC 36-4-3-2.5) which is adjacent to the above annexed land.

Section 3. That the above described real estate is hereby assigned to City Council District "3" and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinance or parts thereof in conflict herewith are hereby repealed.

ALL OF WHICH IS ORDANINED THIS _____ DAY OF _____ 2008.

WESTFIELD CITY COUNCIL

| <u>Voting For</u> | <u>Voting Against</u> | <u>Abstain</u> |
|------------------------|------------------------|------------------------|
| _____ John Dippel | _____ John Dippel | _____ John Dippel |
| _____ Bob Horkay | _____ Bob Horkay | _____ Bob Horkay |
| _____ Ken Kingshill | _____ Ken Kingshill | _____ Ken Kingshill |
| _____ Bob Smith | _____ Bob Smith | _____ Bob Smith |
| _____ Thomas Smith | _____ Thomas Smith | _____ Thomas Smith |
| _____ Rob Stokes | _____ Rob Stokes | _____ Rob Stokes |
| _____ Melody Sweat | _____ Melody Sweat | _____ Melody Sweat |

ATTEST:

Cindy Gossard, Clerk-Treasurer

I hereby certify that ORDINANCE 08-17 was delivered to the Mayor of Westfield on the _____ day of _____, 2008, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 08-17
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 08-17
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

This document was prepared by
Gregory J Anderson, AICP
Director of Community Development

Exhibit "A"
Legal Description

General Described as follows:

Parcel #1

PIN: 08-06-32-00-00-007.001

Address: 18544 Moontown Road

Owner: Messenger

Exhibit "B"
Aerial / Location Map

